

### **REMARKS**

Claims 14, 15, and 20-23, are all the claims pending in the application. Claims 1-13 and 16-19 have been canceled without prejudice or disclaimer. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

#### **Claim Rejections - 35 U.S.C. § 112**

The Examiner rejected claims 1-13 under § 112, 1<sup>st</sup> paragraph, as failing to comply with the enablement requirement. Also, the Examiner rejected claims 16-19 under §112, 1<sup>st</sup> paragraph, as failing to comply with the written description requirement. Lastly, the Examiner rejected claims 1-13 under §112, 2<sup>nd</sup> paragraph, as indefinite. Without acquiescing in the propriety of these rejections, but only to expedite prosecution of this application, Applicant has canceled claims 1-13 and 16-19, thus rendering these rejections moot. Applicant reserves the right to file continuation applications in order to further pursue these claims.

Because all of the rejections have been removed from this application, claims 14, 15, and 20-23 should now be allowed to proceed to interference with US Patent 6,290,147.

#### **Conclusion**

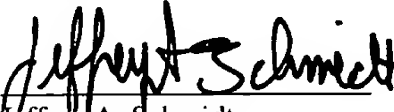
In view of the above, reconsideration of this application is now believed to be in order, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111  
US Appln. 09/856,958

Atty. Docket: Q63932

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 23, 2004

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q63932

Paul BOESCH

Appln. No.: 09/856,958

Group Art Unit: 3752

Confirmation No.: 5162

Examiner: Christopher S. KIM

Filed: May 29, 2001

For: SHOWERHEAD

**STATEMENT OF SUBSTANCE OF INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on  
June 16, 2004:

**REMARKS**

An Examiner's Interview Summary Record (PTO-413) was given to Applicant's representative at the conclusion of the June 16 Interview.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: none
2. Identification of claims discussed: 1, 16
3. Identification of art discussed: none
4. Identification of principal proposed amendments: none
5. Brief Identification of principal arguments: Applicant's representative and the Examiner discussed the objections to the drawings as well as the rejections under §112, 1<sup>st</sup> paragraph. Applicant's representative argued that the drawings do show a "reset mechanism" in as much detail as is claimed, as well as that the specification does enable one of ordinary skill in

the art to make and/or use the invention as claimed. Further, Applicant's representative argued that the specification does provide written description for the claimed invention.


6. Indication of other pertinent matters discussed: none

7. Results of Interview: no agreement was reached

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

**It is believed that no petition or fee is required.** However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

  
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